

ASSEMBLY BILL

No. 2277

Introduced by Assembly Member Hueso

February 24, 2012

An act to amend Section 91.5 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 2277, as introduced, Hueso. Adopt a Highway Program: courtesy signs.

Existing law provides that the Department of Transportation may enter into an agreement with a person or group to clean up litter alongside a section of state highway and to post a courtesy sign identifying the group who is providing the litter abatement services.

This bill would require the department to notify and obtain the approval, as specified, of the local governing body which has jurisdiction over the area where a sign would be placed in order to post a courtesy sign identifying a group that is providing the litter abatement. The department would also be required to post the notice of the application on its Internet Web site for access by the public. The local governing body would have a specified time limit to act on the application request and the approval could not be unreasonably withheld.

Because this bill would require local governments to consider for approval each application for a highway courtesy sign within their jurisdiction, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 91.5 of the Streets and Highways Code
2 is amended to read:

3 91.5. (a) The department may enter into an agreement to accept
4 funds, materials, equipment, or services from any person for
5 maintenance or roadside enhancement, including the cleanup and
6 abatement of litter, of a section of a state highway. The department
7 and the sponsoring person may specify in the agreement the level
8 of maintenance that will be performed.

9 (b) The director may authorize a courtesy sign *upon the*
10 *approval, by majority vote, of the local governing body in whose*
11 *jurisdiction the proposed courtesy sign is to be displayed, except*
12 *as authorized in subdivision (e).* These courtesy signs shall be
13 consistent with existing code provisions and department rules and
14 regulations concerning signs.

15 (c) *The department shall provide the local governing body, on*
16 *a monthly basis, with notice of an application for a courtesy sign*
17 *within the local governing body's jurisdiction. This notice shall*
18 *also be posted on the department's Internet Web site for access*
19 *by the general public.*

20 (d) *The local governing body shall have 30 days from the date*
21 *it receives notification from the department to hold a hearing and*
22 *decide whether or not to approve the proposed courtesy sign.*

23 (e) *If the local governing body does not notify the department*
24 *of its decision on the proposed courtesy sign within 30 days from*
25 *receiving notification from the department, the director may*
26 *authorize the proposed courtesy sign.*

27 (f) *The local governing body shall approve a courtesy sign*
28 *unless public findings have been made that provide reasonable*
29 *grounds for denial.*

30 SEC. 2. If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to

1 local agencies and school districts for those costs shall be made
2 pursuant to Part 7 (commencing with Section 17500) of Division
3 4 of Title 2 of the Government Code.

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